

Ex. 17



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 19 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Brian Schaper, Registered Agent
All American RV Resorts I, LLC
2042 Broadway
Fort Wayne, Indiana 46802

Subject: Failure to Response to Request for Information (Docket No. V-404-308-12-25)
and Request for Voluntary Restoration

Dear Mr. Schaper:

On August 2, 2012, the U. S Environmental Protection Agency (U.S. EPA) sent you, as the Registered Agent of All American RV Resorts I, LLC, a letter providing you an opportunity to voluntarily restore approximately one (1) acre of wetlands filled without authorization under Section 404 of the Clean Water Act for the site located at 5453 Blue Lake Road, Churubusco, Indiana. You had agreed to provide U.S. EPA with a response by September 14, 2012. No response was received.


On August 16, 2012, the U.S. EPA issued you a Request for Information, which you received on or before August 23, 2012. The Request for Information required you to respond within 30 days, i.e., by September 24, 2012. No response was received by U.S. EPA.

A follow-up letter was sent to you on October 11, 2012 regarding your failure to respond to these two letters and reminding you that a response was due to each letter. To date, U.S. EPA has not received a response from you.

If U.S. EPA does not receive a response from you regarding each of these letters by January 15, 2013, U.S. EPA will conclude that you do not intend to comply with the information request and further that you will not undertake a voluntary restoration of the site in question. U.S. EPA will then evaluate its legal options for your failure to comply with the information request including the assessment of administrative penalties of up to \$16,000 per day for each day during which a violation continues, not to exceed \$177,500 and the issuance of a compliance order to submit a restoration plan for the site.

If you have any questions, please contact Greg Carlson at (312)886-0124 or myself at (312) 886-5114.

Sincerely,



Peter Felitti

Associate Regional Counsel

cc: Gregory T. Carlson, WW-16J
Scott Matthews, U.S. Army Corps of Engineers, 1314 Contractor's Blvd.,
Indianapolis, IN 54467
Marty Maupin, IDEM, 473 Griffith Ave., Indianapolis, IN 54494